

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

BARRY L. CROUCH,

*Plaintiff,*

v.

COMMISSIONER OF SOCIAL SECURITY,

*Defendant.*

CIVIL ACTION NO. 6:11-cv-00056

**ORDER**

NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE

I referred this case to United States Magistrate Judge Robert S. Ballou for proposed findings of fact and a recommended disposition. The parties filed cross-motions for summary judgment, and the magistrate judge subsequently filed a Report and Recommendation (the “Report”) recommending that the Commissioner’s motion for summary judgment be denied; that Plaintiff’s motion for summary judgment be granted, in part; and that the matter be reversed and remanded to the Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g), for proper consideration of Plaintiff’s treating psychiatrist’s opinion, including the psychiatrist’s report of September 23, 2010, and for reconsideration of Plaintiff’s credibility in light of that report. After a review of the entire record in this case, and no objection having been filed to the Report within fourteen days of its service upon the parties, I **ADOPT** the Report (docket no. 20) in its entirety. Accordingly, the Commissioner’s motion for summary judgment (docket no. 16) is **DENIED**; Plaintiff’s motion for summary judgment (docket no. 13) is **GRANTED, in part**; and this matter is **REVERSED** and **REMANDED** to the Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g), with instructions, as set forth in detail in the Report. Any other pending motions are **DENIED** as **MOOT**, and this action is **DISMISSED** from the court’s active docket.

The Clerk of the Court is directed to send a certified copy of this order to all counsel of record and to United States Magistrate Judge Robert S. Ballou.

It is so ORDERED.

ENTERED this 15<sup>th</sup> day of February, 2013.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE